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Concord, MA 01742-9133

Telephone: (978) 341-0036

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CENTRAL LOCATION**FACSIMILE COVER SHEET**

Examiner: Phylesha Larvinia Dabney **Group:** 2643

Date: August 23, 2005

Client Code: 2506

Facsimile No.: 571-273-8300

From: Kevin T. Shaughnessy

Subject: Paper: Request for Continued Examination (RCE) Transmittal w/copy;
Amendment;
Amendment Fee Transmittal w/copy; and
Request for Change of Docket Number and Corrected Filing Receipt
w/copy.

Docket No.: 2506.1009-001

Applicants: John G. Aceti, et al.

Serial No.: 09/524,666

Filing Date: March 13, 2000

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Number of pages including this cover sheet: 30

AUG 25 2005

Please confirm receipt of facsimile: Yes X No

Comments:

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LRR/TJM/KTS/mdm
August 23, 2005DOCKET NO. 2506.1009-001
Expedited Procedure under 37 C.F.R. 1.116
Examining Group 2643**RECEIVED**
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AUG 23 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** John G. Aceti, Marvin A. Leedom, Frederick Fritz, Derek D. Mahoney, John M. Margicin, Walter P. Sjursen, Michael H. Tardugno and David A. Preves**Application No.:** 09/524,666 **Group:** 2643**Filed:** March 13, 2000 **Examiner:** Dabney, Phylesha Larvinia**Confirmation No.:** 6745**For:** **DISPOSABLE MODULAR HEARING AID**

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on.	
8-23-05	<i>Amy Bleu</i>
Date	Signature
<i>Amy Bleu</i>	
Typed or printed name of person signing certificate	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Request for Continued Examination and an Amendment for filing in the above-identified application.

- Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

09/524,666

-2-

The claims fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	\$1	MINUS	- \$7	0
INDEP	17	MINUS	** 19	0

FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

* not fewer than 20

** not fewer than 3

SMALL ENTITY

RATE	ADDIT. FEE
X \$25	\$
X \$100	\$
+ \$180	\$

TOTAL= \$ 0OTHER THAN
SMALL ENTITY

RATE	ADDIT. FEE
X \$50	\$
X \$200	\$
+ \$360	\$

TOTAL= \$ 0

The Application Size Fee has been calculated as shown below:

(Effective for cases filed on or after December 8, 2004)

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (increments of 50 sheets)

SMALL ENTITY

Rate	Total Amount Owed
X \$125	\$[]

OTHER THAN
SMALL ENTITY

Rate	Total Amount Owed
X \$250	\$[]

Payment Sufficient for up to
[] Sheets

Petition for Extension of Time

The undersigned Agent petitions the Commissioner for Patents to extend the time for filing a Notice of Appeal in reply to the Office Action made Final dated February 23, 2005 for three months, from May 23, 2005 to August 23, 2005 under 37 CFR § 1.136(a).

In lieu of filing a Notice of Appeal, the Applicant is filing a Request for Continued Examination concurrently herewith.

-3-

Please charge Deposit Account No. 08-0380 for the following fees:

<input checked="" type="checkbox"/>	Petition for Three month Extension of Time	\$ 1020
<input type="checkbox"/>	Claims Fee	\$ _____
<input type="checkbox"/>	Application Size Fee	\$ _____
<input checked="" type="checkbox"/>	Other Fees: Request for Continued Examination	\$ 790
		\$ _____
		\$ _____
		\$ _____
TOTAL:		\$ <u>1810</u>

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for three month Extension of Time	\$ _____
<input type="checkbox"/>	Claims Fee	\$ _____
<input type="checkbox"/>	Application Size Fee	\$ _____
<input type="checkbox"/>	Other Fees: _____	\$ _____
		\$ _____
		\$ _____
TOTAL:		\$ <u>0</u>

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kevin T. Shaughnessy
Kevin T. Shaughnessy
Registration No.: 51,014
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 8/23/05

LRR/TJM/KTS/mdm
August 23, 2005DOCKET NO. 2506.1009-001
Expedited Procedure under 37 C.F.R. 1.116
Examining Group 2643**RECEIVED**
CENTRAL FAX CENTER**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

AUG 23 2005

Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz, Derek D. Mahoney, John M. Margicin, Walter P. Sjursen, Michael H. Tardugno and David A. Preves

Application No.: 09/524,666 Group: 2643

Filed: March 13, 2000 Examiner: Dabney, Phylesha Larvinia

Confirmation No.: 6745

For: DISPOSABLE MODULAR HEARING AID

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8-23-05 Amy Blew
 Date Signature

Amy Blew
 Type or printed name of person signing certificate

Mail Stop AF
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 P.O. Box 1450
 Alexandria, VA 22313-1450

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- A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

09/524,666

-2-

The claims fee has been calculated as shown below:

		SMALL ENTITY		OTHER THAN SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDT. FEE	
TOTAL	51	MINUS *	57	0		
INDEP	17	MINUS **	19	0		
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						
* not fewer than 20						
** not fewer than 3						
			TOTAL= \$ <u> 0 </u>		TOTAL= \$ <u> 0 </u>	

The Application Size Fee has been calculated as shown below:
(Effective for cases filed on or after December 8, 2004)

		SMALL ENTITY		OTHER THAN SMALL ENTITY		
Actual Sheets (Including current amendment)	Highest No of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)	Rate	Total Amount Owed	Rate	Total Amount Owed
			X \$125	\$[]	X \$250	\$[]

Payment Sufficient for up to [] Sheets
--

Petition for Extension of Time

- [X] The undersigned Agent petitions the Commissioner for Patents to extend the time for filing a Notice of Appeal in reply to the Office Action made Final dated February 23, 2005 for three months, from May 23, 2005 to August 23, 2005 under 37 CFR § 1.136(a).

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-3-

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<input type="checkbox"/>	Claims Fee	\$ _____
<input type="checkbox"/>	Application Size Fee	\$ _____
<input checked="" type="checkbox"/>	Other Fees: Request for Continued Examination	\$ 790
		\$ _____
		\$ _____
TOTAL:		\$ 1810

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<input type="checkbox"/>	Petition for three month Extension of Time	\$ _____
<input type="checkbox"/>	Claims Fee	\$ _____
<input type="checkbox"/>	Application Size Fee	\$ _____
<input type="checkbox"/>	Other Fees: _____	\$ _____
		\$ _____
		\$ _____
TOTAL:		\$ 0

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kevin T. Shaughnessy
 Kevin T. Shaughnessy
 Registration No.: 51,014
 Telephone (978) 341-0036
 Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 8/23/05

@PFDsktop\ODMA\MHODMA\HBSR05\Manage;570261;1
LRR/TJM/KTS/mdm
August 23, 2005

PATENT APPLICATION
Docket No. 2506.1009-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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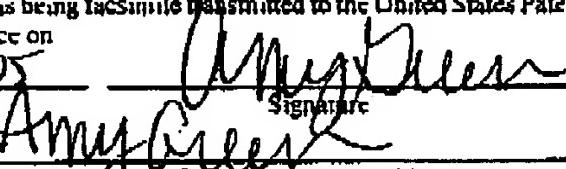
Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz,
Derek D. Mahoney, John M. Margicin, Walter P. Sjursen,
Michael H. Tardugno and David A. Preves

Application No.: 09/524,666 Group: 2643

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8-23-05	
Date	Signature
Amy Green	
Typed or printed name of person signing certificate	

REQUEST FOR CHANGE OF DOCKET NUMBER
AND CORRECTED FILING RECEIPT

Customer Correction Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant's attorney requests that the docket number of record for the above-referenced case be changed to 2506.1009-001. This request is made to better identify this application within our offices.

09/524,666

-2-

Please provide a corrected Filing Receipt indicating the new attorney docket number.

Please charge Deposit Account No. 08-0380 for any fees that may be due in this matter.

One additional copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kevin T. Shaughnessy
Kevin T. Shaughnessy
Registration No. 51,014
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 8/23/05

@PFDesktop1..ODMA/MHODMA/HBSR05;iManage;570261;1
LRR/TJM/KTS/mdm
August 23, 2005

PATENT APPLICATION
Docket No.: 2506.1009-001

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AUG 23 2005

Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz,
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Application No.: 09/524,666 Group: 2643

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8-23-05	<i>[Signature]</i>
Date	Signature
Amy Aceti	
Typed or printed name of person signing certificate	

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AND CORRECTED FILING RECEIPT

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Kevin T. Shaughnessy
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Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 8/23/05